

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:25-cv-21998-WPD

CARLSON PET PRODUCTS, INC.,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE A,

Defendants.

_____ /

PLAINTIFF'S MOTION TO FILE UNDER SEAL

Plaintiff Carlson Pet Products, Inc. ("Carlson"), by and through its undersigned counsel and pursuant to S.D. Fla. L.R. 5.4(b)(1), respectfully moves for an order allowing Carlson to file under seal Schedule A and Exhibit 2 to its Complaint and Exhibits 2 and 3 to the Declaration of Shane A. Flannery, which identifies the Defendants to the above-styled action, and in support thereof respectfully refers the Court to the following Memorandum of Law.

MEMORANDUM OF LAW

Good cause exists for the requested order. Carlson has learned that Defendants are engaging in the promotion, advertisement, distribution, offering for sale, and sale of goods utilizing Carlson's patent within this district, without authorization through Amazon's online marketplace. Defendants' infringing activities are causing irreparable injury to Carlson and causing an overall degradation of the reputation associated with its patent. Accordingly, Carlson is seeking *ex parte* relief in this action.

Temporarily sealing these portions of the file is necessary to prevent the Defendants from

learning of these proceedings before the execution of a temporary restraining order. If Defendants were to learn of these proceedings prematurely, the likely result would be the destruction of relevant documentary evidence and the hiding or transferring of assets to foreign jurisdictions, which would frustrate the purpose of the underlying law and would interfere with this Court's power to grant relief. *See Dell Inc. v. BelgiumDomains, LLC*, Case No. 07-22674, 2007 U.S. Dist. LEXIS 98676, at *19 (S.D. Fla. Nov. 21, 2007) (granting motion to seal where the defendants, who operate their counterfeiting business electronically, "will likely destroy evidence or move it out of the jurisdiction" if provided with advance notice of the Plaintiff's filings). Once a temporary restraining order has been served on the relevant parties and the requested actions are taken, Carlson will move to unseal these documents.

As Defendants engage in unlawful patent infringement, Carlson has no reason to believe Defendants will make their assets available for or will adhere to the authority of this Court any more than they have adhered to federal patent laws.

WHEREFORE, Carlson respectfully requests that Schedule A and Exhibit 2 to its Complaint and Exhibits 2 and 3 to the Declaration of Shane A. Flannery remain under seal until the Court has the opportunity to rule on Carlson's request for temporary *ex parte* relief and, if granted, the relief ordered therein has been effectuated. At that time, all pleadings and orders will be made available to Defendants.

Dated: May 1, 2025

Respectfully submitted,

COZEN O'CONNOR

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